Before the Education Practices Commission of the State of Florida

FILED
MAR – 4 2019
EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA

Final Order

IN RE: Administrative Complaint seeking disciplinary action against the Educator's Certificate of **Jason Roberts**.

_____/

CASE NO. 19-0058-RT
EPC INDEX NO. **19-083-FON**

An Administrative Complaint seeking disciplinary action against the educator's certificate of Respondent, **Jason Roberts**, was filed by **Richard Corcoran**, as Commissioner of Education on, February 5, 2019.

Respondent, holder of Florida educator's certificate number 1151217, was served with a copy of the Administrative Complaint. Respondent has filed an answer to the Administrative Complaint stating that he did not wish to contest the charges, that he waived any further rights to due process or a public hearing, that he surrendered his certificate for permanent revocation, and that all his actions were free and voluntary.

The Administrative Complaint and the answers are incorporated as part of this Order.

In consideration of the foregoing, the Education Practices Commission, as empowered by F.S. 1012.796, hereby **PERMANENTLY REVOKES** educator's certificate number, 1151217, held by, **Jason Roberts**.

Reapplication will not be considered.

DONE AND ORDERED this 27th day of February, 2019.

CHRISTIE GOLD, Chairperson
Education Practices Commission

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of **PAM STEWART** vs. **JASON ROBERTS** was furnished to **Jason Roberts,** at [redacted] Oxford, Florida 34484 on this 4th day of March, 2019, by Certified U. S. Mail.

Lisa Forbess, Clerk
Education Practices Commission

COPIES FURNISHED TO:

Office of Professional Practices Services

Bureau of Educator Certification

Division of Administrative Hearings

Superintendent
Lake County
201 West Burleigh Boulevard
Tavares, Florida 32778-2496

Employee Relations
Lake County
201 West Burleigh Boulevard
Tavares, Florida 32778-2496

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ELECTION OF RIGHTS

Richard Corcoran, Commissioner of Education,
Petitioner,

vs.

File No.: 178-1055

JASON W ROBERTS, N60044
Respondent. /

Mark your election by checking option 1, 2, 3 or 4. (Select one option)

1. [ ] **FORMAL HEARING OPTION** I dispute the allegations of the Administrative Complaint and I request a Formal Hearing before a Hearing Officer of the Division of Administrative Hearings. The facts I dispute are:

Attach additional sheet(s) if needed.

2. [ ] **SETTLEMENT OPTION** I neither admit nor deny the allegations and request a forty-five (45) day period to negotiate a settlement agreement. If an agreement is not reached I request: (Select One)

[ ] **Informal Hearing** - I do not dispute the allegation
Or
[ ] **Formal Hearing** - The facts I dispute are:

*If neither Informal nor Formal is checked, the action will be scheduled for an Informal Hearing.

3. [ ] **INFORMAL HEARING OPTION** I do not dispute the allegations of the Administrative Complaint and request an Informal Hearing before the Education Practices Commission.

4. [✓] **SURRENDER OPTION** I voluntarily surrender my certificate(s) for permanent revocation.

I have read the Explanation of Rights and understand my options.

(EXECUTION BEFORE A NOTARY PUBLIC NOT REQUIRED IF CHOOSING OPTION 1)

2019 FEB 19 PM 2

Signature of Respondent

[redacted]
Street Address

Oxford
City

[redacted]
Telephone No.

[redacted]
EMail Address [✓] Check if ok to correspond via email

STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 14 day of February, 2019.

by Jason Roberts
(Print Respondent's Name)

Signature of Notary Public

Personally Known X or Produced Identification Type of

Print, Type or Stamp Commissioned Name of Notary Public

JENNIFER JORDAN
MY COMMISSION # GG28868
EXPIRES: October 14, 2020

Your fully executed election of rights form must be returned within 21 days to:

PROFESSIONAL PRACTICES SERVICES
325 WEST GAINES STREET, SUITE 224
TALLAHASSEE, FLORIDA 32399-0400
or
via email to EOR@fldoe.org

EXPLANATION OF ELECTION OF RIGHTS

The enclosed Administrative Complaint outlines charges brought against you by the Florida Commissioner of Education. To respond to the charges you must indicate your choice of response on the enclosed Election of Rights form and **return it within 21 days of the date of receipt.** If you fail to return this fully executed form within 21 days of receipt, you waive your right to request a hearing and the complaint will be filed with the Education Practices Commission for final action.

1. **Formal Hearing** before the Division of Administrative Hearings. The Administrative Procedures Act, Section 120.57(1), Florida Statutes, and Section 1012.796, Florida Statutes, govern the formal hearing process. This choice means you deny some or all of the factual allegations in the Administrative Complaint. There will be a full administrative hearing on the issues. The Commissioner will be represented by an attorney and will bring forth witnesses. You may choose to have an attorney or represent yourself in the proceedings. (See www.doah.state.fl.us for more information.)

2. **Settlement Agreement** with the Department of Education. This choice means you neither admit nor deny the allegations in the Administrative Complaint, but wish to negotiate a settlement. In a settlement agreement, you will accept certain conditions in order to resolve the case. If you do not reach a settlement, you have the choice to reschedule the case to a formal or informal hearing by indicating that selection on the attached form. (If you fail to indicate your back-up selection, your case will automatically be scheduled for an informal hearing.)

3. **Informal Hearing** before the Education Practices Commission. The Florida Administrative Procedures Act, Section 120.57(2), Florida Statutes, governs the informal hearing process. This option means you choose not to dispute the factual allegations or charges of the Administrative Complaint. You have the right to appear before a panel of the Education Practices Commission to state why a lenient penalty or no penalty is appropriate. If you do not want to make a personal appearance, you or your representative, may submit written statements on your behalf. Any written statement must be submitted to the Education Practices Commission staff no later than 30 days before the scheduled informal hearing.

4. **Voluntary Surrender** of your Florida Educator's Certificate. This choice means you do not contest any of the allegations or charges in the Administrative Complaint and voluntarily surrender your certificate for **permanent revocation.** Once surrendered, the certificate will never be reinstated and the rules of the Department of Education do not permit you to apply for a new certificate. Your right to any Florida Educator's Certificate is forever revoked and relinquished.

Regardless of which selection you make, the Education Practices Commission (Sections 1012.79 and 1012.795, Florida Statutes) will issue a Final Order to finalize the process. For more information on this process, please visit www.myfloridateacher.com

STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION

RICHARD CORCORAN, as Commissioner of Education,

Petitioner,

vs. **CASE NO. 178-1055**

JASON ROBERTS,

Respondent.
_____/

ADMINISTRATIVE COMPLAINT

Petitioner, Richard Corcoran, as Commissioner of Education, files this Administrative Complaint against JASON ROBERTS. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to sections 1012.315, 1012.795, and 1012.796, Florida Statutes, and pursuant to Rule 6A-10.081, Florida Administrative Code, Principles of Professional Conduct for the Education Profession in Florida, said sanctions specifically set forth in sections 1012.795(1) and 1012.796(7), Florida Statutes.

The Petitioner alleges:

JURISDICTION

1. The Respondent holds Florida Educator's Certificate 1151217, covering the areas of Educational Leadership, English for Speakers of Other Languages (ESOL), Exceptional Student Education, Middle Grades Integrated Curriculum and Reading, which is valid through June 30, 2022.

2. At all times pertinent hereto, the Respondent was employed as a Guidance Counselor at Mount Dora High School in the Lake County School District.

MATERIAL ALLEGATIONS

3. On or about August 6, 2018, in the Circuit Court of the Fifth Judicial Circuit In And For Lake County, Florida, the Respondent plead nolo contendere and was adjudicated guilty of two counts of Child Abuse, in violation of 827.03, Florida Statutes.

4. The Respondent has been adjudicated guilty of two counts of Child Abuse and thus has been convicted of a crime which disqualifies him from holding a teaching certificate

under Section 1012.315(1), Florida Statutes, in that the Respondent's conviction constitutes an offense prohibited by Section 1012.315(1)(ll), Florida Statutes. Thus, the Respondent has committed a disqualifying offense. Further, the Court ordered Respondent to forfeit his teaching certificate.

The Petitioner charges:

STATUTE VIOLATIONS

COUNT 1: The Respondent is in violation of section 1012.795(1)(f), Florida Statutes, in that Respondent has been convicted or found guilty of, or entered a plea of guilty to, regardless of adjudication of guilt, a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

COUNT 2: The Respondent is subject to section 1012.795(1)(m), Florida Statutes, in that Respondent has been the subject of a court order or plea agreement in a jurisdiction which requires the certificate holder to surrender or otherwise relinquish their educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. The Respondent may not surrender or otherwise relinquish their certificate prior to a finding of probable cause by the Commissioner of Education, as provided in section 1012.796, Florida Statutes.

COUNT 3: The Respondent is subject to section 1012.795(1)(n), Florida Statutes, in that Respondent has been disqualified from educator certification under section 1012.315, Florida Statutes.

(SIGNATURE ON FOLLOWING PAGE)

WHEREFORE, based on the reasons set forth herein and in accordance with the Explanation of Rights and Election of Rights forms attached to and made a part of this Administrative Complaint, Petitioner respectfully recommends that the Education Practices Commission impose an appropriate sanction against the Respondent's educator's certificate pursuant to the authority provided in sections 1012.795(1) and 1012.796(7), Florida Statutes. The sanctions imposed by the Education Practices Commission may include, but are not limited to, any one or a combination of the following: issuing the Respondent a written reprimand; placing the Respondent on probation for any period of time; restricting the Respondent's authorized scope of practice; assessing the Respondent an administrative fine; directing the Respondent to enroll in the Recovery Network Program; suspending the Respondent's educator's certificate for a period of time not to exceed five years; revoking the Respondent's educator's certificate for a period of time up to 10 years or permanently; determining the Respondent to be ineligible for certification; or barring the Respondent from reapplying for an educator's certificate for a period of time up to 10 years or permanently.

EXECUTED on this 5th day of February, 2019.

RICHARD CORCORAN, as
Commissioner of Education
State of Florida